

## Message Text

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17

ORIGIN L-03

INFO OCT-01 ARA-16 IO-14 ISO-00 AF-10 EA-11 EUR-25 NEA-14

RSC-01 CIAE-00 DODE-00 PM-07 H-03 INR-11 NSAE-00

NSC-07 PA-04 PRS-01 SP-03 SS-20 USIA-15 OIC-04 ACDA-19

SAM-01 SAJ-01 NIC-01 /192 R

DRAFTED BY L/UNA:MJMATHESON:EB

APPROVED BY L:SMSCHWEBEL

IO/UNP - MR. KIMBALL (DRAFT)

----- 047494

R 172217Z SEP 74

FM SECSTATE WASHDC

TO AMEMBASSY BRASILIA

INFO USMISSION USUN NEW YORK

LIMITED OFFICIAL USE STATE 204677

E.O. 11652: N/A

TAGS: VN, PFOR

SUBJECT: UNGA ACTION ON DEFINITION OF AGGRESSION

REF: BRASILIA 6798

1. FOLLOWING IS INFORMATION ON DEFINITION OF AGGRESSION WHICH YOU MAY DRAW UPON IN RESPONSE TO REQUEST IN PARA 4 OF REFTEL.

2. AFTER MANY YEARS OF WORK ON A DEFINITION OF AGGRESSION, UN SPECIAL COMMITTEE ON THE QUESTION OF DEFINING AGGRESSION COMPLETED ITS WORK ON A DRAFT DEFINITION IN APRIL 1974. WITHOUT OBJECTION, COMMITTEE TRANSMITTED THAT DRAFT TO THE GA FOR ITS CONSIDERATION. WE EXPECT GA TO ACT UPON THIS DRAFT AND ADOPT THE DEFINITION AT THIS SESSION.

3. FYI: SINCE FINAL TEXT DOES NOT DEROGATE FROM BASIC LIMITED OFFICIAL USE

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U.S. POSITIONS AND IS USEFUL IN SEVERAL RESPECTS FROM U.S.

VIEWPOINT, U.S. DID NOT OBJECT TO DRAFT DEFINITION. IN PARTICULAR, DEFINITION PRESERVES SECURITY COUNCIL DISCRETION IN MAKING DETERMINATIONS OF AGGRESSION, REJECTS THEORY THAT ALL FIRST USES OF FORCE NECESSARILY ARE AGGRESSION, AND SPECIFICALLY INCLUDES INDIRECT USES OF FORCE IN LIST OF POSSIBLE ACTS OF AGGRESSION. IF TEXT WERE TO BE REOPENED, IT IS LIKELY THAT FINAL DEFINITION WOULD BE SUBSTANTIALY LESS FAVORABLE TO U.S. THAN PRESENT DRAFT. END FYI.

4. TEXT OF DRAFT DEFINITION WAS DELICATE COMPROMISE BETWEEN OPPOSING POINTS OF VIEW ON COMMITTEE. TO DATE, DEPT HAS RECEIVED NO FIRM INDICATION THAT ANY DEL INTENDS TO REOPEN TEXT AT GA ON POINTS OF SUBSTANCE. ANY SERIOUS ATTEMPT TO ALTER PRESENT TEXT COULD DESTROY THE CHANCE FOR CONSENSUS IN GA ON A DEFINITION. ANY DEFINITION ARRIVED AT OVER OBJECTION OF U.S. OR OTHER MAJOR POWERS WOULD BE MEANINGLESS EXERCISE. ACCORDINGLY, WE DO NOT PLAN TO REOPEN TEXT OURSELVES AND WOULD DISCOURAGE OTHERS FROM DOING SO. KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AGREEMENT DRAFT, LANGUAGE, TEXT, INTERNATIONAL ORGANIZATIONS, FOREIGN POLICY POSITION  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 17 SEP 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GarlanWA  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974STATE204677  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** MJMATHESON:EB  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D740261-0008  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1974/newtext/t19740938/aaaabfsz.tel  
**Line Count:** 81  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** BRASILIA 6798  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** GarlanWA  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 01 JUL 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <01 JUL 2002 by boyleja>; APPROVED <06 MAR 2003 by cunninfx>; APPROVED <31 MAR 2003 by GarlanWA>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** UNGA ACTION ON DEFINITION OF AGGRESSION  
**TAGS:** PFOR, VN, US, UNGA  
**To:** BRASILIA  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005